

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ILLIA KORNEA, et al

Plaintiffs,
-against-
JEFFREY A. MILLER,
Defendant.

USDC SDNY
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DATE FILED: 6/12/2024

22-CV-4454 (PAE) (KHP)
ORDER

KATHARINE H. PARKER, United States Magistrate Judge

On July 27, 2023, Defendant moved for summary judgment on Plaintiffs' claims, which was granted in part and denied in part on January 25, 2024. (ECF No. 121.) Specifically, all of Plaintiffs' claims were dismissed except for one. On December 19, 2023, Plaintiffs filed what they styled as a "Motion to Dismiss Defendant's Counterclaim," which the Court granted on May 2, 2024. (ECF No. 125.)

On May 14, 2024, Plaintiffs filed a proposed order that would grant Plaintiffs a money judgment. (ECF No. 126.) That same day, Defendant filed objections to Plaintiffs' proposed order. (ECF No. 127.) On May 29, 2024, Plaintiffs filed a motion to dismiss Defendant's objections to the proposed order. (ECF No. 128.) All three filings are improper. Plaintiffs' proposed order and Defendant's objections thereto are premature, as Defendant's motion for summary judgment was denied as to Plaintiffs' remaining claim, and therefore any money judgment must be resolved after trial, after which a judgment will be entered. The motion to dismiss Defendant's objections is DENIED as premature. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 128.

SO ORDERED.

Dated: June 12, 2024
New York, New York

Katharine H. Parker

KATHARINE H. PARKER
United States Magistrate Judge